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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,312	11/13/2001	Leroy E. Hood	P - IS 4988 5632	
	7590 03/02/200 C, WILL & EMERY	EXAMINER		
4370 LA JOLL	A VILLAGE DRIVE,	SMITH, CAROLYN L		
SAN DIEGO, O	CA 92122		ART UNIT	PAPER NUMBER
			1631	
			MAIL DATE	DELIVERY MODE
			03/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
09/993,312	HOOD ET AL.	
Examiner	Art Unit	
Carolyn L. Smith	1631	

	Carolyn L. Smith	1631	
The MAILING DATE of this communication appe	ars on the cover sheet with the	correspondence add	ress
THE REPLY FILED 09 February 2007 FAILS TO PLACE THIS	APPLICATION IN CONDITION F	OR ALLOWANCE.	
1. The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	the same day as filing a Notice ving replies: (1) an amendment, tice of Appeal (with appeal fee) i	of Appeal. To avoid aba affidavit, or other eviden n compliance with 37 Cl	ce, which FR 41.31; or (3)
a) The period for reply expiresmonths from the mailing	date of the final rejection.		
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire to Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 76	ater than SIX MONTHS from the mai b). ONLY CHECK BOX (b) WHEN T 06.07(f).	ling date of the final rejection in the FIRST REPLY WAS F	on. ILED WITHIN
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of ex under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amous shortened statutory period for reply o than three months after the mailing	nt of the fee. The appropri riginally set in the final Office	ate extension fee ce action; or (2) as
 The Notice of Appeal was filed on <u>09 February 2007</u>. A bethe date of filing the Notice of Appeal (37 CFR 41.37(a)), appeal. Since a Notice of Appeal has been filed, any reply AMENDMENTS 	or any extension thereof (37 CFF	R 41.37(e)), to avoid dis	missal of the
3. The proposed amendment(s) filed after a final rejection,	but prior to the date of filing a bri	ef will not be entered be	ecause
(a) They raise new issues that would require further co			
 (b) ☐ They raise the issue of new matter (see NOTE belo (c) ☒ They are not deemed to place the application in bel appeal; and/or 		reducing or simplifying	the issues for
(d) They present additional claims without canceling a	corresponding number of finally	rejected claims.	
NOTE: See Continuation Sheet. (See 37 CFR 1.1	16 and 41.33(a)).		•
4. The amendments are not in compliance with 37 CFR 1.1.	21. See attached Notice of Non-	Compliant Amendment ((PTOL-324).
5. Applicant's reply has overcome the following rejection(s)	:	•	
Newly proposed or amended claim(s) would be al non-allowable claim(s).	·		_
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows:		will be entered and an e	xplanation of
Claim(s) allowed:			,
Claim(s) objected to:			•
Claim(s) rejected: <u>1,2,4-33 and 35-43</u> . Claim(s) withdrawn from consideration: <u>34 and 44-74</u> .		•	•
AFFIDAVIT OR OTHER EVIDENCE			
8. The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good anwas not earlier presented. See 37 CFR 1.116(e).			
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to of showing a good and sufficient reasons why it is necessary	vercome <u>all</u> rejections under appy y and was not earlier presented.	peal and/or appellant fai See 37 CFR 41.33(d)(1	Is to provide a).
10. The affidavit or other evidence is entered. An explanation			
 The request for reconsideration has been considered bu <u>See Continuation Sheet.</u> 			ice because:
12. ☐ Note the attached Information Disclosure Statement(s).13. ☐ Other:	(PTO/SB/08) Paper No(s).	-	
	·	•	
	,		•

Continuation of 3. NOTE: The proposed claim amendments add new limitations such as "at least value sets containing two or more different types of data elements" and "providing an output to a user of said correlative changes" which would require further search and/or consideration.

Continuation of 11. does NOT place the application in condition for allowance because: of the presence of new limitations that would require further search and/or consideration.

Applicants arguments regarding 35 USC 101 and 102 are based on proposed claim amendments which have not been entered and are therefore unpersuasive.